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EXAMINER

COBY, FRANTZ

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 02/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

.09/856,276

Applicant(s)

NONAKA ET AL.

Examiner

Frantz Coby

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-286 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-286 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12-03-08</u> . | 6) <input type="checkbox"/> Other: _____ |

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This is in response to application filed on October 02, 2001 in which claims 1-286 are presented for examination.

Status of Claims

Claims 1-286 are pending.

Information Disclosure Statement

The information disclosure statement filed on December 03, 2001 is in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. It has been placed in the application file, but the information referred to therein has been considered as to the merits.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

Claims 129-131 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim may only contain reference, in the alternative only to more than one claim previously set forth. However, claim 129 references to itself. See MPEP § 608.01(n). Accordingly, the claims 129-131 not been further treated on the merits.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 2, 4, 7, 8, 32, and 244 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the related" in line 16. There is insufficient antecedent basis for this limitation in the claim.

Claims 2 and 4 recite the limitation "the legitimacy" in line 3 and "the producer" in line 3. There is insufficient antecedent basis for this limitation in the claim. Also, the language of "the key file to the key file" in claim 2 makes it unclear as to which key file the claimed is being referred to. Further, the language of "the content file to the content file" in claim 4 makes it unclear as to which content file the claimed is being referred to.

Claim 7 recites the limitation "the legitimacy" in line 3 and "the producer" in line 3. There is insufficient antecedent basis for this limitation in the claim. Also, the language of "the key file and prepares the key file" in claim 7 makes it unclear as to which key file the claimed is being referred to. Further, claim 7 recites the claimed feature of "storing that signature data". Pronouns are not permitted, only what is being referred by "that" should be set forth in the claim.

Claim 8 recites the claimed feature of "sends them". Pronouns are not permitted, only what is being referred by "them" should be set forth in the claim.

Claim 32 recites the claimed feature of "sends them". Pronouns are not permitted, only what is being referred by "them" should be set forth in the claim.

Claim 244 recites the limitation "the usage control policy", "the related decrypted usage control", "the content file", "the other data processing". There is insufficient antecedent basis for these limitations in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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Claims 1-4, 6-24, 27-29, 31, 33-40, 45-106, 108-126, 128, 132-140, 142-153, 156-159, 162-183, 185, 187, 190-201, 203, 205-242, 244-284 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Linehan et al. U.S. Patent no. 5,495,533.

As per claim 1, Linehan et al. disclose "a data providing system for distributing content data from a data providing apparatus to a data processing apparatus and managing data providing apparatus and said data processing apparatus by a management apparatus" by providing a computing system having an automated management system for managing keys to encrypt and decrypt stored data on the computing system (See Linehan et al. Abstract; Figure 1, Col. 2, lines 25-35). In particular, Linehan et al. disclose the claimed limitations of "said management apparatus prepares a key file storing encrypted content key data and encrypted usage control policy data indicating handling of said content data" as a file header used with the Personal Key Archive (See Linehan et al. Figure 8). Also, Linehan et al. disclose the claimed feature of "said data providing apparatus provides said content data encrypted by using said content key data" (See Linehan et al. Col. 6, line 8-Col. 7, line 59). Last, Linehan et al. disclose the claimed features of "said data processing apparatus decrypts said content key data and said usage control policy data stored in said key file and determines the handling of said content data based on the related decrypted usage control policy data" (See Linehan et al. Col. 7, lines 60-64).

As per claim 2, most of the limitations of this claim have been noted in the rejection of claim 1 above. Claim 2 is at least rejected for its dependencies on the rejected claim 1 above. In addition Linehan et al. disclose the claimed feature of

"Wherein said management apparatus adds signature data for verification of the legitimacy of the producer of the key file to the key file" through an authentication server (See Linehan et al. Abstract; Figure 3, component 20; Figure 4, component 34, Figure 5, component 34, Figure 6, component 66 and Figure 7 component 75; Col. 3, lines 10-37).

As per claim 3, most of the limitations of this claim have been noted in the rejection of claim 1 above. Claim 3 is at least rejected for its dependencies on the rejected claim 1 above. In addition Linehan et al. disclose the claimed feature of "wherein said data proving apparatus prepares a content file storing the content data and provide the content file to the data processing apparatus" (See Linehan et al. Col. 4, line 60-Col. 5, line 38; Col. 6, line 8-Col. 7, line 5).

As per claim 4, most of the limitations of this claim have been noted in the rejection of claim 3 above. Claim 4 is at least rejected for its dependencies on the rejected claim 3 above. In addition Linehan et al. disclose the claimed feature of "Wherein said management apparatus adds signature data for verification of the legitimacy of the producer of the content file to the content file" through an authentication server (See Linehan et al. Abstract; Figure 3, component 20; Figure 4, component 34, Figure 5, component 34, Figure 6, component 66 and Figure 7 component 75; Col. 3, lines 10-37).

As per claim 6, most of the limitations of this claim have been noted in the rejection of claim 1 above. In addition Linehan et al. disclose the claimed feature of "providing apparatus distributes a module storing a content file" through a server in which the key to encrypt data is distributed and stored in the header of the file (See Linehan et al. Abstract; Col. 4, line 60-Col. 5, line 38).

As per claim 7, most of the limitations of this claim have been noted in the rejection of claim 6 above. Claim 7 is at least rejected for its dependencies on the rejected claim 6 above. In addition Linehan et al. disclose the claimed feature of "Wherein said management apparatus generates signature data for verifying the legitimacy of the producer of the key file and prepares the key file further storing that signature data" through an authentication server (See Linehan et al. Abstract; Figure 3, component 20; Figure 4, component 34, Figure 5, component 34, Figure 6, component 66 and Figure 7 component 75; Col. 3, lines 10-37).

As per claim 8, all the limitations of this claim have been noted in the rejection of claims 1 and 6 above. It is therefore rejected as set forth above.

As per claims 9, 10, 11, 12 and 13, all the limitations of these claims have been noted in the rejection of claims 6 and 7 above. They are therefore rejected as set forth above.

As per claim 14, all the limitations of this claim have been noted in the rejection of claim 6. It is therefore rejected as set forth above.

As per claim 15, most of the limitations of this claim have been noted in the rejection of claim 1 above. In addition Linehan et al. disclose the claimed feature of "providing apparatus distributes the content file storing the content data encrypted by using said content key data and said key file received from said management apparatus to said data processing apparatus" as a key server, which sends keys corresponding to the data file to the client of an accessing user (See Linehan et al. Abstract; Col. 5, lines 13-14).

As per claim 16, all the limitations of this claim have been noted in the rejection of claims 1, 6, 14 and 15. It is therefore rejected as set forth above.

As per claim 17, most of the limitations of this claim have been noted in the rejection of claim 1 above. In addition Linehan et al. disclose the claimed feature of "providing apparatus distributes a module storing the content data" through a server in which the key to encrypt data is distributed and stored in the header of the file (See Linehan et al. Abstract; Col. 4, line 60-Col. 5, line 38).

As per claim 18, most of the limitations of this claim have been noted in the rejection of claim 1 above. In addition Linehan et al. disclose the claimed feature of

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“providing apparatus distributes the content data encrypted by using said content key data and said key file received from said management apparatus to said data processing apparatus” as a key server, which sends keys corresponding to the data file to the client of an accessing user (See Linehan et al. Abstract; Col. 5, lines 13-14).

As per claim 19, all the limitations of this claim have been noted in the rejection of claims 1, 6, 14 and 15. It is therefore rejected as set forth above.

As per claim 20, most of the limitations of this claim have been noted in the rejection of claim 1 above. In addition Linehan et al. disclose the claimed feature of “providing apparatus distributes the content data encrypted by using said content key data and said key file received from said management apparatus to said data processing apparatus” as a key server, which sends keys corresponding to the data file to the client of an accessing user (See Linehan et al. Abstract; Col. 5, lines 13-14).

As per claim 21, most of the limitations of this claim have been noted in the rejection of claim 1 above. In addition Linehan et al. disclose the claimed feature of “providing apparatus distributes the content data encrypted by using said content key data to said data processing apparatus” as a key server, which sends keys corresponding to the data file to the client of an accessing user (See Linehan et al. Abstract; Col. 5, lines 13-14).

As per claim 22, all the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Linehan et al. disclose a data providing system comprising "a data providing apparatus, a data distribution apparatus, a data processing apparatus, and a management apparatus" (See Linehan et al. Figures 1-7 and corresponding text).

As per claim 23, most of the limitations of this claim have been noted in the rejection of claim 22 above. In addition Linehan et al. disclose the claimed features of "providing apparatus provides a first module storing content data encrypted" and "data distribution apparatus distributed a second module storing encrypted content data" through a server in which the key to encrypt data is distributed and stored in the header of the file (See Linehan et al. Abstract; Col. 4, line 60-Col. 5, line 38).

As per claim 24, all the limitations of this claim have been noted in the rejection of claim 23. It is therefore rejected as set forth above.

As per claims 27-28, all the limitations of these claims have been noted in the rejection of claims 2-4 and 6-7 above. They are therefore rejected as set forth above.

As per claim 31, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Linehan et al. disclose the claimed features of "a data providing system for

providing content data from a data providing apparatus to a data distribution apparatus, distributing the content data from said data distribution apparatus to a data processing apparatus, and managing said data providing apparatus, said data distribution apparatus, and said data processing apparatus by a management apparatus" by providing a computing system having automated management system for managing keys to encrypt and decrypt stored data (See Linehan et al. Abstract). The system has a server, a client, a key database and encrypted data file memory for storing modules for storing a content file storing a content file storing the content data encrypted as well as the provided content file and the key file (See Linehan et al. Abstract; Col. 4, line 60-Col. 5, line 38).

As per claims 33-40, all the limitations of these claims have been noted in the rejection of claims 31 and 2-4. They are therefore rejected as set forth above.

As per claim 45, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Linehan et al. disclose the claimed features of "a data providing system for providing content data from a data providing apparatus to a data distribution apparatus, distributing the content data from said data distribution apparatus to a data processing apparatus, and managing said data providing apparatus, said data distribution apparatus, and said data processing apparatus by a management apparatus" by providing a computing system having automated management system for managing keys to encrypt and decrypt stored data (See Linehan et al. Abstract). The system has a

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server, a client, a key database and encrypted data file memory for storing modules for storing a content file storing a content file storing the content data encrypted as well as the provided content data and the key file (See Linehan et al. Abstract; Col. 4, line 60-Col. 5, line 38).

As per claims 46-47, all the limitations of these claims have been noted in the rejection of claims 1, 6, 15, 22, 31 and 45. They are therefore rejected as set forth above.

As per claims 48-49, most of the limitations of these claims have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Linehan et al. disclose the claimed features of "a data providing system for distributing content data from a data providing apparatus to a data processing apparatus, and managing said data providing apparatus by a management apparatus" by providing a computing system having automated management system for managing keys to encrypt and decrypt stored data (See Linehan et al. Abstract). The system has a server, a client, a key database and encrypted data file memory for storing modules for storing a content file storing a content file storing the content data encrypted as well as the provided content data and the key file (See Linehan et al. Abstract; Col. 4, line 60-Col. 5, line 38).

As per claim 50, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Linehan et al. disclose the claimed features of "a data providing system for providing content data from a data providing apparatus to a data distribution apparatus, distributing the content data from said data distribution apparatus to a data processing apparatus, and managing said data providing apparatus, said data distribution apparatus, and said data processing apparatus by a management apparatus" by providing a computing system having automated management system for managing keys to encrypt and decrypt stored data (See Linehan et al. Abstract). The system has a server, a client, a key database and encrypted data file memory for storing modules for storing a content file storing a content file storing the content data encrypted as well as the provided content data and the key file (See Linehan et al. Abstract; Col. 4, line 60-Col. 5, line 38).

As per claim 51, all the limitations of this claim have been noted in the rejection of claims 1, 6, 15, 22, 31, 45, 46 and 50. It is therefore rejected as set forth above.

As per claim 52, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Linehan et al. disclose "a data providing system for distributing content data from a data providing apparatus to a data processing apparatus, and a management apparatus" (See Linehan et al. Figures 1-7 and corresponding text).

As per claim 53, all the limitations of this claim have been noted in the rejection of claims 1, 6, 15, 22, 31, 45, 46, 50 51-52. It is therefore rejected as set forth above.

As per claim 54, most of the limitations of this claim have been noted in the rejection of claim 1 above. In addition Linehan et al. disclose the claimed feature of "a data providing system for providing content data from a data providing apparatus to a data distribution apparatus" as a key server, which sends keys corresponding to the data file to the client of an accessing user (See Linehan et al. Abstract; Col. 5, lines 13-14).

As per claim 55, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Linehan et al. disclose "a data distribution apparatus, a management apparatus and a data processing apparatus" (See Linehan et al. Figures 1-7 and corresponding text).

As per claim 56, most of the limitations of this claim have been noted in the rejection of claim 55 above. In addition Linehan et al. disclose the claimed features of "providing apparatus provides a first module storing content file and key file" and "data distribution apparatus distributed a second module storing content file and key file"

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through a server in which the key to encrypt data is distributed and stored in the header of the file (See Linehan et al. Abstract; Col. 4, line 60-Col. 5, line 38).

As per claim 57, most of the limitations of this claim have been noted in the rejection of claim 55 above. In addition Linehan et al. disclose the claimed features of "one database for storing and managing said content file, said key file and usage control policy data" as a key database (See Linehan et al. Abstract; Col. 7, lines 5-14; Col. 65-Col. 8, line 17).

As per claim 58, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Linehan et al. disclose the claimed feature of "said data providing apparatus provides master source data of content to said management apparatus" as a key that is provided to the server (See Linehan et al. Col. 5, lines 1-16; Figures 1-7 and corresponding text).

As per claim 59, all the limitations of this claim have been noted in the rejection of claims 1, 6, 15, 22, 31, 45, 46, 50 51-55, 58. It is therefore rejected as set forth above.

As per claim 60, most of the limitations of this claim have been noted in the rejection of claim 59 above. In addition Linehan et al. disclose the claimed features of

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“providing apparatus provides a first module storing content file and key file” and “data distribution apparatus distributed a second module storing content file and key file” through a server in which the key to encrypt data is distributed and stored in the header of the file (See Linehan et al. Abstract; Col. 4, line 60-Col. 5, line 38).

As per claims 61-104, all the limitations of these claims have been noted in the rejection of claims 1, 6, 15, 22, 31, 45, 46, 50 51-55, 58 and 59. They are therefore rejected as set forth above.

As per claims 105-106 and 108, most of the limitations of these claims have been noted in the rejection of claim 104 above. Claim 105 is at least rejected for its dependencies on the rejected claim 104 above. In addition Linehan et al. disclose the claimed feature of “verifying a legitimacy of a producer and a transmitter of at least one data among said content data” and “verifying if the related data is not tampered with” through an authentication server (See Linehan et al. Abstract; Figure 3, component 20; Figure 4, component 34, Figure 5, component 34, Figure 6, component 66 and Figure 7 component 75; Col. 3, lines 10-37).

As per claim 109, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Linehan et al. disclose “a data providing system for distributing content data

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from a data providing apparatus to a data processing apparatus, and a management apparatus" (See Linehan et al. Figures 1-7 and corresponding text).

As per claims 110-126 and 128, 132-139, all the limitations of these claims have been noted in the rejection of claims 1-4, 6-24, 27-29, 31-106, 108-109 directly or indirectly. They are therefore rejected as set forth above.

As per claim 140, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Linehan et al. disclose the claimed features of "a data providing apparatus which is managed by a management apparatus and distributes content data to a data processing and distributing a module storing a content file storing the content data encrypted by using said content key data and said key file received from said management apparatus to said data processing apparatus" by providing a computing system having automated management system for managing keys to encrypt and decrypt stored data (See Linehan et al. Abstract): The system has a server, a client, a key database and encrypted data file memory for storing modules for storing a content file storing a content file storing the content data encrypted as well as the provided content data and the key file (See Linehan et al. Abstract; Col. 4, line 60-Col. 5, line 38).

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As per claims 142-150, all the limitations of these claims have been noted in the rejection of claims 1-4, 6, 15, 22, 31, 45, 46, 50 51-55, 58, 59, 66-104, 109 and 140.

They are therefore rejected as set forth above.

As per claims 151-153, 156-159, 162, 163-183, 185, 187, 190-199 and 200, all the limitations of these claims have been noted in the rejection of claims 1-4, 6, 15, 22, 31, 45, 46, 50 51-55, 58 and 59, 66-104, 109 and 140. They are therefore rejected as set forth above.

As per claims 201, 203, 205-206, 207-208, 209-214, 215-217, 218-219, 220-222 223-224, 225-227, 228-230, 231-233, 234-236, 237-239, 240-242, 244-281, 282, 283 and 284, all the limitations of these claims have been noted in the rejection of claims 1-4, 6, 15, 22, 31, 45, 46, 50 51-55, 58 and 59, 66-104, 109 and 140. They are therefore rejected as set forth above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 25-26, 29-30, 41-44 107, 141, 154-155, 160-161, 184, 186, 188, 189, 2002, 204, 285-286 are rejected under 35 U.S.C. 103(a) as being unpatentable over Linehan et al. U.S. Patent no. 5,495,533 in view of Kravitz et al. U.S. Patent no. 6,738,905.

As per claim 5, most of the limitations of these claims have been noted in the rejection of claim 1 above.

It is noted, however, Linehan et al. did not specifically detail the aspects of "determines at least one of purchase and the usage form of the distributed content data" and "performs profit distribution processing for distributing the profit obtaining along with the purchase and usage of the content data" as recited in the instant claim 5. On the other hand, Kravitz et al. achieved the aforementioned claimed limitations by allowing a user to receive a package of content form a service provider as well as individual programs of content from the service provider, distributing encrypted content and decrypting the content, the encrypted content includes the fee the subscriber should be charged (See Kravitz Abstract; Col. 9, lines 27-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system for managing keys disclose by Linehan et al. by incorporating the mechanism storing fees disclosed by Kravitz et al. The motivation being to allow a subscriber to obtain access to individual programs where the subscriber is only charged for the programs which have been accessed (See Kravitz et al. Col. 1, lines 11-15).

As per claims 25-26, most of the limitations of these claims have been noted in the rejection of claim 22 above.

It is noted, however, Linehan et al. did not specifically detail the aspect of "a module storing price data showing the price of the content data to said data processing apparatus" and "determined a the price data based on a wholesale price determined for said content data by said data providing apparatus" as recited in the instant claims 25-26. On the other hand, Kravitz et al. achieved the aforementioned claimed features (See Kravitz et al. Abstract, Col. 9, lines 27-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system for managing keys disclose by Linehan et al. by incorporating the mechanism storing fees disclosed by Kravitz et al. The motivation being to allow a subscriber to obtain access to individual programs where the subscriber is only charged for the programs which have been accessed (See Kravitz et al. Col. 1, lines 11-15).

As per claims 29-30, 41-44, all the limitations of these claims have been noted in the rejection of claims 5 and 25-26. They are therefore rejected as set forth above.

As per claim 107, all the limitations of this claim have been noted in the rejection of claims 5 and 25-26. It is therefore rejected as set forth above.

As per claim 141, all the limitations of this claim have been noted in the rejection of claims 5 and 25-26. It is therefore rejected as set forth above.

As per claims 154, 155, 160, 161, all the limitations of these claims have been noted in the rejection of claims 5 and 25-26. They are therefore rejected as set forth above.

As per claim 184, all the limitations of this claim have been noted in the rejection of claims 5 and 25-26. It is therefore rejected as set forth above.

As per claim 186, all the limitations of this claim have been noted in the rejection of claims 5 and 25-26. It is therefore rejected as set forth above.

As per claim 188, all the limitations of this claim have been noted in the rejection of claims 5 and 25-26. It is therefore rejected as set forth above.

As per claim 189, all the limitations of this claim have been noted in the rejection of claims 5 and 25-26. It is therefore rejected as set forth above.

As per claim 202, all the limitations of this claim have been noted in the rejection of claims 5 and 25-26. It is therefore rejected as set forth above.

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As per claim 204, all the limitations of this claim have been noted in the rejection of claims 5 and 25-26. It is therefore rejected as set forth above.

As per claim 285, all the limitations of this claim have been noted in the rejection of claims 5 and 25-26. It is therefore rejected as set forth above.

As per claim 286, all the limitations of this claim have been noted in the rejection of claims 5 and 25-26. It is therefore rejected as set forth above.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz Coby whose telephone number is 571 272 4017. The examiner can normally be reached on Monday-Saturday 3:00PM-10:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571 272 4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Frantz Coby
Primary Examiner
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